

## **REMARKS**

### **INTRODUCTION:**

In accordance with the foregoing, claims 12 and 13 have been canceled without prejudice or disclaimer, and claims 1, 5 and 16 have been amended. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1, 4, 5, 8, 9, 14, 15, and 16 are pending and under consideration. Claims 14 and 15 have been allowed. Reconsideration is respectfully requested.

### **REJECTION UNDER 35 U.S.C. §103:**

In the Office Action, at pages 2-6, numbered paragraph 2, claims 1, 4, 5, 8, 9, 13, and 16 were rejected under 35 U.S.C. §103(a) as being unpatentable over Morinaga (JP-8-203259A; hereafter, Morinaga) in view of Park et al. (USPN 6,859,933; hereafter, Park) and Hirasaka et al. (USPN 6,690,540; hereinafter, Hirasaka). The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

Independent claim 1 has been amended to recite that each resonator further comprises an absorbing member filling the resonance container to selectively reduce noise of one of the at least two predetermined frequency bands, and that the absorbing member is a porous material. Independent claim 5 has been amended in a similar fashion.

Independent claim 9 has been amended to include the features of claim 12, which has been canceled without prejudice or disclaimer. Hence, in accordance with paragraph 3 of page 6 of the office action, amended independent claim 9 is submitted to be in allowable form.

Independent claim 13 has been canceled without prejudice or disclaimer.

Independent claim 16 has been amended to recite that the resonance container of the Helmholtz resonator is filled with an absorbing member that is a porous material.

It is respectfully submitted that neither Morinaga, nor Park, nor Hirasaka, alone or in combination, teaches or suggests amended independent claims 1, 5, 9, or 16 of the present invention.

Hence, independent claims 1, 5, 9, and 16 are submitted to be patentable under 35 U.S.C. §103(a) over Morinaga (JP-8-203259A) in view of Park et al. (USPN 6,859,933) and Hirasaka et al. (USPN 6,690,540). Since claims 4 and 8 depend from amended independent claims 1 and 5, respectively, claims 4 and 8 are patentable under 35 U.S.C. §103(a) over Morinaga (JP-8-203259A) in view of Park et al. (USPN 6,859,933) and Hirasaka et al. (USPN 6,690,540) for at least the reasons amended independent claims 1 and 5 are patentable under 35 U.S.C. §103(a) over Morinaga (JP-8-203259A) in view of Park et al. (USPN 6,859,933) and

Hirasaka et al. (USPN 6,690,540).

**ALLOWABLE SUBJECT MATTER:**

In the Office Action, at pages 6-7, numbered paragraphs 3-4, claims 14 and 15 were allowed, and claim 12 was objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Applicants thank the Examiner for his careful review and allowance of claims 14 and 15.

Claim 9 has been amended to include the features of claim 12. Claim 12 has been canceled without prejudice or disclaimer. Hence, amended claim 9 is submitted to be in allowable form.

**CONCLUSION:**

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot, and further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If the Examiner has any remaining issues to be addressed, it is believed that prosecution can be expedited by the Examiner contacting the undersigned attorney for a telephone interview to discuss resolution of such issues.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: April 5, 2007

By: Darleen J. Stockley

Darleen J. Stockley  
Registration No. 34,257

1201 New York Avenue, N.W.  
Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501